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ABSTRACT

In recent years, Canadians have lived with government and corporate economic policies that have pushed down wages, intensified work, created high unemployment, eliminated some industrial sectors while creating others, increased part-time employment, and reduced government services. The consequences have destabilized the personal lives of most workers and brought about a crisis based on incompatibility between family lives and workplace demands. This book examines this tension between family life and work. The five chapters of this book are structured around workplace and collective bargaining solutions to these problems; each chapter includes a list of key resources and endnotes. Chapter 1 describes the dramatic changes in the relationship between employment and caring responsibilities, including a discussion of myths about family responsibilities and a "Working Family Workplace Checklist." Chapter 2 discusses various family leave options, such as parental leave, adoption leave, vacation, and family responsibility leave. Chapter 3 discusses flexible work schedules, job sharing, and working at home. Chapter 4 describes workplace services such as child care and elder care. Chapter 5, titled "Flexible Workplaces, Not Infinitely Flexible Workers: Bargaining and Lobbying Strategies," suggests strategies and recommendations for bargaining for working families. Two appendices provide an international comparison of women in the workforce and a discussion of family-related leave and benefits in Canada. (DR)

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Strategies for Working Families

Alice de Wolff

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Introduction

Over the last ten years Canadians have lived with government and corporate economic policies which have pushed wages down, intensified work, created high unemployment, eliminated some industrial sectors, created new ones, increased part time employment and reduced government services. The consequences have destabilized not only our economy and employment, but also the **personal lives** of most workers.

Economic policy is not simply about work: it influences how our whole society is organized. We can now see, and feel, the consequences of these policies in the Canadian population. One wage can no longer support a household. More people are working in conditions where the work has intensified and demands longer hours. Neither the government nor employers have moved in to provide adequate support to workers who are also care givers. Worry about how to cope has become a daily part of workers', particularly women workers' lives. There are new relationships between workers and low paid care givers that are exploitive. Workers are finding that the care they are able to offer their children, partners, intimate friends, brothers, sisters, and parents has deteriorated. Our children and parents are hurting.

The current crisis in the incompatability between our caring/family lives and work place demands is key to mobilizing working people to challenge the North American competitive corporate agenda. This crisis suggests that there are limits to how "flexible" the workforce can become without damaging the very fabric of our lives. This is a challenge both for unions and for community based groups. It is not going to be a simple task.. Because these changes are taking place in our "private" lives, many workers feel individually responsible for finding ways of coping, or personally guilty for not coping as well as they would like. A key to this task is recognizing that the competetiveness agenda has not only reorganized how we work, but that it has reorganized our lives, undermined our sense of community, eroded the care our parents recieve, and threatens the education and care of our children.

Unions have responded to this kind of educating and mobilizing challenge many times. Unions transformed occupational health and safety, for instance, from an issue where both management and workers held the worker accountable, to one where all parties recognize that both government and employers have responsibilities to ensure healthy and safe working conditions. In the same way, unions have the ability and the opportunity to mobilize workers ' concerns about employment and caring tensions, and to make it clear that government and business are responsible for organizing working conditions so that workers can have caring, sustaining family relationships.

This book is intended for union and community activists. In it we look at the results of recent studies, including the National Child Care Study, which demonstrate how the relationship between care-giving and employment is changing in Canada. We have reviewed legislation and union achievements in other countries which support working families, and throughout the book try to identify how we might change the current vision of the Canadian government and the North American trading block. The book is structured around workplace and collective bargaining solutions, reviewing Canadian unions' strategies to provide workers with more control over their lives. Most sections open the discussion to the necessity for broader social infrastructural programs. We feel that good collective agreements are critical steps towards creating a social environment where the benefits won by some become available to everyone.

The challenges are broad ranging. How do unions work towards agreements that more effectively accommodate workers with children? How might workers have more control over their time? Can we win a shorter work week on our terms? Can the work week match the school/child care week for those responsible for children? How can worker's care-giving issues be included in Employment Equity accommodations? How do we stop the harmonization of our social programs and employment standards with the United States? How can we establish a national child care program? How do we tap the worry of time-crunched workers to mobilize around these issues, either in their unions or in their communities?

We have designed this book to be a convenient reference for people who are taking up these challenges. In it we provide:

- information on working family issues
- background material critical for collective bargaining on working family issues
- background material critical for lobbying government
- material for speeches, position papers or media statements
- Canadian statistics and international comparative information
- resource materials

Chapter 1 Dramatic Changes in the Relationship Between Employment and Caring Responsibilities

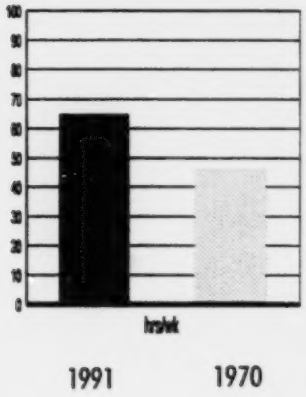
Workers, and women workers in particular, are finding it harder to manage their employment and their caring responsibilities. We are experiencing a major reorganization of the relationship between paid employment, paid caring work and unpaid caring work.

Many of the tensions are very familiar to working class single parent women who have managed these issues for years. But the numbers of people now experiencing these tensions, and the poor solutions that are available have increased the magnitude of their social consequences and have placed new issues on our collective agenda, not only in Canada but in most industrialized countries. A large proportion of households have two adult wage earners who are both overly stressed. This is in part because they have two jobs: their paid employment, and unpaid domestic labour, or caring work. Their children, chronically ill family and friends, and elders are experiencing a decrease at least in the hours if not the quality of the care provided by their able-bodied adult family members. To compensate for the lack of time, workers are increasingly relying on a growing underclass of low-paid female care-givers and personal service workers who are disproportionately women of colour and immigrant women.

As individuals we need to create new ways of coping which change our personal relationships, our relationships with care givers and our relationships with our employers. As union members we are on the cutting edge of these changes, as we bargain for different kinds of benefits and workplace services so that employers take more of a share in ensuring that their workers' families and communities receive the care they need.

A quick review of our social "map" tells us that tensions between employment and caring affect a large number of Canadians. The most significant piece of the story is that it takes almost twice the number of paid hours to maintain a household as it did twenty years ago.

Work Hours per Week to Sustain a Canadian Household [1]



Who is Employed ?

- In 1991 it took 65 - 80 hours of work per week to sustain a Canadian household. In 1970 it took 45 hours per week.[1]
- In 1992, 58% of all Canadian women worked outside their homes, compared to 45% in 1976. [2]
- The largest increase in labour force participation has been among women with young children. In 1991 68% of women with children between 3 and 5 were working, up from 41% in 1976; 62% of women with a child under 3 were working. [3]
- 71% of couples with children under 19 were dual earners in 1990.[4]
- 80% of women in households where the man's income was between $10,000 and $20,000 were in the paid labour force in 1989.[5]
- The number of two-parent families living below the poverty line would increase by 78% if working women in those families withdrew from the workforce.[6]
- In 1986 only 12% of Canadian households consisted of a husband in the workforce and a spouse at home full-time.[7]
- In 1991 13% of families were headed by single parents.[8] 63% of women single parents with children under 16 were in the labour force. [9]

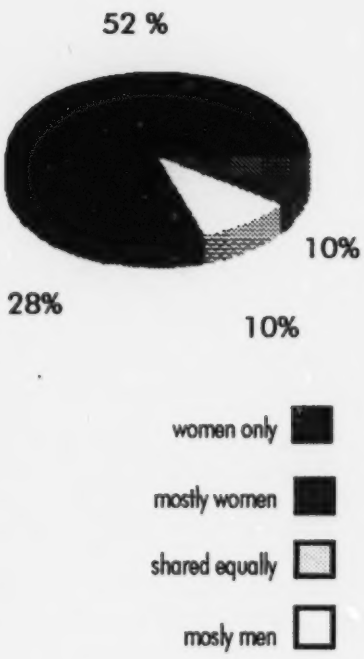
Real wages have dropped. Consequently most households cannot be, and are not, sustained by one wage. Far more women are employed, with the largest increase being among women with young children.

The primary responsibility for caring for children, intimate friends, sick family members, elderly parents and household maintenance remains with women. While individual men have made some changes in the traditional household division of labour, women still are more implicated in the conflicts between work and family, women take more leave for family responsibilities, and work more hours at home.

The high rate of unemployment, increased job mobility, combined with the 'death' of the lifelong job, mean that most workers experience several major transitions in their working life. This has had a profound impact on the shape of our families, communities and extended support networks. Dislocation, transfer or unemployment of one partner can create huge stress for the other working partner, and often leads to separation or divorce. The caring arrangements that are sometimes provided by an extended family or friendship network are also destabilized by these events. Again, women carry most of the caring responsibilities for family members during short term or permanent separations, and become single parents after divorce far more frequently than men.

Canadian families are consequently increasingly diverse. There are now almost as many families headed by single parents as there are families where only one parent is in the workforce. There are more extended families where several generations live together. There are more children living in two households, and more blended families composed of children of previous marriages than ever before. More parents are same sex partners. More households include a mix of relatives and intimate friends. More adults are living alone while supporting and relying on an extended familial and friendship network.

Housework Responsibilities in Dual Earner Families (1990) [11]



Women are Still the Care Givers

- The number of days missed at work for family related responsibilities almost tripled from 1.9 days in 1977 to 5.2 days for women full time workers; and increased marginally for men from .7 days in 1977 to .9 days in 1990.[10]
- 52% of women with full time jobs in dual earner households still had primary responsibility for housework in 1990. Only 10% of dual earner households share housework evenly between male and female partners. Working women's sole responsibility for house work increases with the number of their children: 83% of women with full time jobs who are in dual earner households where there are 4 or more children, are fully responsible for housework. [11]
- Women are four times more likely than their male counterparts to report that they stayed home when their children were ill. [12]
- Fathers have 1.75 hours/day more leisure than mothers.

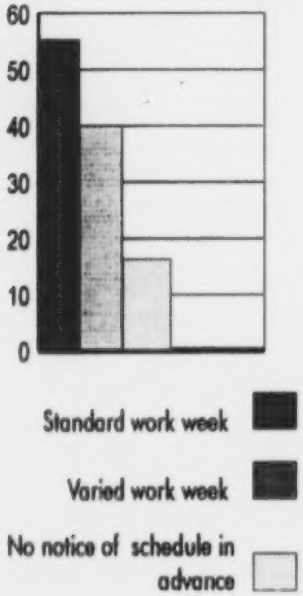
Canadian workers are working harder and longer hours than they were ten years ago. Workloads have intensified. Many workers are working overtime or take a second job to supplement their income.

The standard work week has disappeared for many workers and their partners. Employers are demanding a "flexible" work force, sometimes making it enormously difficult for parents to coordinate their shifts, coordinate the care of dependants and organize enough time together to ensure that their relationships survive.

When parents spend more time in employment, they have less to spend with their children. This gap has not been filled by supportive programs which recognize the increased work responsibilities of parents, such as quality child care or education programs which match the work day. Nor have work days been organized to match school or kindergarten. In fact the opposite is happening. Social services that might make caring work easier have been cut. Education and recreation programs are being cut. There is a lot of pressure on parents to make - and pay for - private arrangements. And new segments of health care are being privatized, moving "closer to home"[16], adding the more and often difficult work of caring for ill and elderly family members to the already full agenda of women family members.

The market approach to providing social services results in exploitive low wages for paid care givers. Child care, home care nurses and domestic workers are among the lowest paid people in the country. Indeed, at precisely the moment when parents must spend more hours working, our governments are intent on privatizing the care of children, and decreasing the value of and public investment in their education.

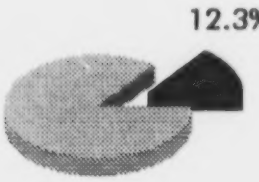
Parents' Work Week Schedules[15]



Canadians Work More than 9-5

- Canadians work an average of 45 hours/week. 18% of us are working 60 hours/week or more.
- 6% of employed women work 50 or more hours per week. [13]
- 31% of women and 16% of men were in nonstandard work in 1989: part-time, part-year, and temporary jobs.[14]
- Only 55% of working parents had a standard work week schedule (weekdays with fixed daytime hours). The schedules of about 40% of working parents vary from week to week, and between 14 - 17% of parents don't know schedule changes in advance.[15]

Availability of Licensed Child Care Spaces in Canada



Licensed full time spaces

Children needing child care

Children Needing Care During Irregular Hours[18]

Pre-school and school-age children needing care to accomodate irregular working schedules

others

There is not Enough Child Care

- Child care was needed for an estimated 2.7 million children to support parental employment in 1988.[17] There are licensed full time spaces for only 333,000 children.
- Approximately 28% of preschool and school-age children needed care that would accommodate their parents' irregular work schedule that varied from day to day. [18]
- Of all children who required care in 1988 while their parents worked, only 14% of children under age 6, and 7% of children age 6-9 were cared for in a licensed centre or regulated family home.[19]
- 52% of families with preschool children were composed of dual-earner couples or employed sole-support parents.[20]
- The average wage of Canadian child care workers was $9.60 per hour or $18,870 per year in 1991. This was a drop of $.45 per hour in real wages since 1984. [21]
- There were 60,830 domestic workers in Ontario in 1990, caring for on average two children each. 97% of domestic workers are women, who earn minimum wages.[22]
- While inadequate, 1992 Canadian public spending on seniors was 2.7 times greater than on young children.[23]

Child Poverty

- Over 1 million Canadian children are poor: 11% of children in two-parent families lived in poverty in 1990; 64% of children of women single parents lived in poverty.[24]
- One in three children in Metro Toronto rely on social assistance.[25]
- We have not found Canadian statistics which confirm an equivalent change, but feel we should note that in the US, parental time with children decreased by 10 hours/week between 1960 and 1986.[26]

Elder Care

- In 1991 3.2 million Canadians were over age 65. [27] The percentage of the population over age 65 is growing, and will have increased from 6% in 1931, to 19% by 2021.[28]
- About 40% of Canadians over age 65 have a permanent disability, and need significant care.[29]
- The majority (85%) live in private households. [30]
- 60% of women over the age of 65 live in poverty.
- Women are likely to spend eighteen years looking after their elderly parents and seventeen years caring for their children.[31]

Many young parents have wages below the poverty line or experience long periods of unemployment, and their children are among the over one million children who live in poverty in Canada.

Canadian children are paying for our apparent unwillingness to take more collective responsibility for the changes in the economy and the workforce. Because of cut backs, education systems increasingly rely on parental help at home. When parents' hours at home are reduced, children's education suffers. Children have more unsupervised time, and spend more hours in front of the TV (market parenting). School drop out rates, teen suicide rates and the increase of violence in schools are all sign posts of a net reduction in the care and education our children are receiving.

Young parents are also young workers and have the most precarious tenure in the labour market. Many young parents have wages below the poverty line or experience long periods of unemployment, and their children are among the over one million children who live in poverty in Canada.

Workers experience similar tensions around care for our parents. Canadian governments invest more in the care of the elderly than in young children, but it is still not sufficient. Our aging population has led to an increase in the number of dependent elderly parents. At the same time, home care programs, prescription drug insurance, long term care programs are being cut or privatized. Aging parents who thought they had provided for themselves but who find they cannot handle increased costs, or women cut off from their spouse's pension benefits are increasingly relying on their children, often their daughters, to help them patch together their subsistence and care.

Similarly the systematic closing of institutional care for children and adults with severe illness or disabilities has left many of these people in the care of untrained and unsupported family members.

Canadians with Disabilities

- Approximately 35 in every 1,000 children between age 4 and 16 have a chronic illness or some functional limitation. [31] 9% of all families with one or more children under 13 are caring for a child with disabilities.

- 13% of the adult population age 15 - 64 have a disability. Approximately 98% live in households and are cared for by family members. Among adults with disabilities:

  - 9% receive help with meal preparation (82% from family members)

  - 18% receive help with shopping (87% from family members)

  - 18% receive help with every day housework (83% from family members)

  - 40% receive help with heavy chores (76% from family members)[32]

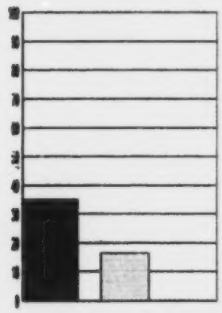
The trend to delayed child bearing means many Canadian women are caring for parents and children at the same time. Women currently in their 40s are often working, caring for young children and elderly parents, and beginning to experience ill health themselves.

When the pressures are extreme, some women find they are not able to maintain their jobs, and leave the paid workforce either because of the amount of unpaid caregiving needed at home, or their own ill health.

Stress and the Time Crunch

- The Conference Board of Canada reports that 10% of 11,000 employees surveyed had left a job in the past because of conflicts between work and family. More than 14% in the same survey said they were considering leaving for the same reasons. [33]
- 34.3% of women and 16.3% of men who are in dual earner households and who work full time are severely time crunched.[34]

Dual Earner Households [34]



women time crunched

men time crunched

Some would conclude from all this that the solution is for women to assume the role of unpaid domestic caregivers. "Where they belong", add some would-be policy makers. But most women continue to expect to be full participating members of the society, able to be daughters, mothers, partners *and* productive workers, just as men are able to be sons, fathers, partners and productive workers.

Our economy has welcomed and profited from women's entry into the workforce, and is now organized so that it relies on a large number of women workers. Further, because of our aging population, significant future economic growth is reliant on mobilizing the productive energy of more women. This will not be possible if women are expected to carry double responsibilities through most of their adult lives. Changes must be made now to reorganize the workplace and to share responsibilities for unpaid caring labour so that both female and male workers can sustain their working and their family lives.

Existing Solutions Create Greater Inequalities

Not only are workers experiencing more stress in trying to hold together their caring responsibilities, and our children and elders experiencing a decrease in care, the solutions available to us are creating a whole new set of social inequalities.

Everyday service workers have to negotiate the exploitive employee/ service provider relationships between themselves and working families, and at the same time have some of the worst difficulty caring for their own families.

Existing "market" solutions to the new tensions in workers' lives are expanding class, race and gender differences in our society. The situation is quickly consolidating a larger underclass, a pink collar ghetto of care-givers, fast food and personal service workers which includes working poor women of all races, but is disproportionately made up of women of colour and immigrant women. Economic restructuring has increased disparities in Canadian society. This is echoed in the two largest growth areas of women's employment: part time service work and service sector management. Everyday service workers have to negotiate the exploitive employee/service provider relationships between themselves and working families, and at the same time have some of the worst difficulty caring for their own families. The new group of women managers are the largest purchasers of personal services.

- Middle class households increasingly rely on a network of workers in personal service industries. Workers in personal services industries are among the lowest paid and least secure. They include household cleaners, fast food workers, laundry and dry cleaning workers who, are mostly women, and include a large number of immigrant and visible minority women. The employee - employer relationship between these workers and working parents is often new for the parents, and is in itself a cause of angst and stress for both parties.

- Many middle class and professional workers find a solution in hiring a domestic worker who can manage the tasks needed to run a household as well as coordinate the remaining patchwork of outside services. Domestic workers are not only low paid, but many continue to work under government regulations which are the current equivalent of immigrant indentured labour. It is a cruel irony that the Domestic Worker Program is perhaps the federal government's only program deliberately designed to ease the tensions between paid work and caring, and it is one of the most explicitly racist programs run by our government.

• Lower waged workers must rely on a patchwork of people and programs to help with the care of children and elders. This patchwork can include low paid, unregulated neighbourhood baby-sitters - home care workers for the occasional care of their parents and regulated child care programs - mainly women workers who are among the lowest paid in the country.

But Don't We Have to Compete? Aren't Family Supports Really Frills that our Employers and Economy Can't Afford?

Workers are all too familiar with some of the reasons for these new tensions. During the 1980s, Canadian employers adopted many strategies to restructure their workforce, laying off large numbers of workers, contracting out and introducing new technologies in order to become "globally competitive". Consequently jobs are more precarious, wages haven't risen and workers are being pressured to reduce their demands.

There are different kinds of competition operating globally. One is the individualist "lean & mean" Anglo American version which we are living with, where government and corporations cover as little as possible of the costs of creating an efficient and educated workforce, where competitive advantage is thought to be won with lower wages and benefits. Another is the European and Japanese "social economy", or "virtuous circle" version, where governments and industry invest in high-calibre, high-productivity workers and their children (future workers) who in turn attract more corporate investment and jobs. This approach is affordable and leads to less stress between caring and employment responsibilities, healthier children, less child and senior poverty, stronger education systems, women's equality, more stable caring systems and a highly trained, productive workforce.

"In a society in which everything is privatized, the notion of the common good - that you do something to benefit others - is decreasing. .... If people are lean and mean and this is a virtue, then you shed all concerns that aren't directly related to individual benefit or the benefit of the corporation."

Ursula Franklin,
Globe & Mail
February 20, 1994

Canada trades, and consequently competes with the U.S. and the U.K. which are proponents of the "lean and mean" strategy, and with European countries and Japan which have adopted versions of the "virtuous circle" strategy. Even though we have entered into comprehensive trade agreements which significantly tie our economy and social programs to the U.S., we still have choices about how to participate in the international economy and the kind of social economy we want to develop.

Canadian economic strategies are not working, even on their own terms. We are producing too much. The environment cannot sustain our current level of production. There are not enough people earning enough money to buy the goods and services we produce, which accounts for the very slow economic growth of the past decade. Too many people are unemployed or underemployed, while those who have work are working too hard.[35] Unions are developing strong arguments for reducing the amount of time each worker spends at their workplace, and consequently increasing the number of people who are working. If this happens on workers' terms, it would allow us all to live saner, more caring lives.

Some employers do recognize that they have an interest in acknowledging that employment and caring are interdependent. Committed, trained, competent people have become a competive advantage in new ways as industries become increasingly reliant on complex and changing information. Employers cannot afford to have a large proportion of their workforce severely stressed, refusing more responsibilities, or actually leaving because of conflict with their family responsibilities.

Challenges for Unions, Employers and Government

All countries party to the UN Convention on the Elimination of Discrimination Against Women, including Canada, have agreed:

> *"To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities."* [36]

There is broad recognition that government involvement, through legislation and programs, encourages business involvement in the care of our families and communities.[37] Strong legislative frameworks tend to mean that companies don't have to completely re-invent - or completely pay for - programs. Child care, elder care, health care, education, social insurance are infrastructures, like sewers, or electricity, which are necessary for business, but which employers cannot afford alone. Critics of social spending who support privatization and market solutions suggest that government programs remove individual incentives and break up "the family". But there is ample evidence that when government programs are in place, people are better able to take care of their families and communities. [38]

Trade unionists are central to creating a social environment where collective solutions are strengthened. Union members are used to looking for collective solutions, particularly when we can see that many workers are affected by the same set of issues and when the cause of much of the stress is the organization of the workplace. Good collective agreements are a critical part of the process of creating a social environment where the benefits won by some become available to everyone.

Solutions that work for individual workplaces, even when the employer is sympathetic, still only address part of the problem. The work that the Canadian Auto Workers has done around child care within the automobile industry is a case in point. All parties have realized that the companies cannot provide flexible, adequate child care for all autoworkers in the Southern Ontario region without the external infrastructure of a comprehensive public child care system. They have recognized that they must also work towards the creation of a national child care program.

Women and men need sufficient control over their time and resources so that they can work *and* have caring, satisfying personal relationships.

This suggests a range of possible workplace strategies which focus on worker controlled flexibility and programs:

- Challenge the resistance among union members to putting family responsibility leaves, inclusive benefits and workplace programs on the bargaining table.

- Develop positive measures which recognize women's particular caring responsibilities in accordance with Employment Equity legislation around: hours of work, flexible time, leave for family responsibilities, vacations, child care, elder care and care for family members with disabilities.

- Broaden the definition of family relationships, establish sexual preference as prohibited grounds for discrimination, and establish which practices discriminate against workers based on family status through the Human Rights systems.

- Establish a shorter work year, through a range of agreements about longer and more varied leaves, job sharing and shorter work weeks.

- Work towards matching education and child care days with the work day.

- Work with allies in social movements and unorganized sectors. Our analysis suggests that personal service sector workers, domestic workers, child care, home care, elder care workers and unions have common concerns.

- Work towards government legislation and programs which support longer paid leaves and a shorter working year.

- Work towards a national child care program.

Myths About Family Responsibilities

"Parents can choose to stay home to care for children and elders."

In 1990 it took 64 - 80 hours of work per week to support a household in Canada.

"Men are taking more responsibility for family matters."

Some men are. But when we look at the broader picture, rather than at individual cases we can see that women still carry the bulk of caring responsibilities.

"Part time workers have more time for family responsibilities."

Many part time workers hold two or more part time jobs and have even fewer hours in the day than full time employees to pay attention to family needs.

"Working at home makes it possible to look after children or elders at the same time."

Work and child or elder care are two separate jobs that are rarely successfully combined.

"When children start public school their care becomes easier for working parents."

School hours are rarely the same as work hours. Even standard work weeks do not correspond to school hours, and after school care programs are rare. A large percentage of workers have nonstandard work weeks.

"Women ask for home work because they want to stay home with their children."

Many women who accept homework do so because they cannot find affordable child care. Providing quality child care is a full time job, and cannot successfully be combined with another job.

Working Family Workplace Check List

The stresses between employment and caring responsiblities reach into many parts of our lives. We need to search for a broad range of solutions.

One way is to think through the kinds of workplace support that might assist us during major phases or crises in our "private" lives.

EVENT	FINANCIAL BENEFITS	PROGRAMS & SERVICES	LEAVE
New/All Worker	• Health/ dental insurance • Disability insurance • Pension/ retirement program	• Fitness Centre • Health risk appraisals • Employee assistance • Cafeteria	• Statutory holidays • Vacations • Sick time • Disability • Personal leaves of absence (ie.volunteer work, friend's illness,etc.)
Marriage/ Partnership	• Inclusive Spousal benefits • Partner named in pension plan	• Partner relocation • Partner job search assistance	• Marriage leave
Pregnancy & Adoption	• Top-up pay during maternity leave • Adoption benefits • Medical • coverage for pre & post natal care, extra hospital costs • Add child as disability insurance beneficiary • Add child to other insurance & coverage	• Prenatal courses • Information from benefits manager • Reallocation of work during leave • Pregnancy; hazardous work lists, preferential shifts • Broad definition of family, benefits for same sex partners	• Maternity leave • Paternity leave • Maternity disability • Reduced work week during pregnancy

EVENT	FINANCIAL BENEFITS	PROGRAMS & SERVICES	LEAVE
Childrearing	• Medical & dental coverage for dependants • Well-baby care • Life Insurance for dependants • Top up pay for parental leave • Paid family responsibility leave • Inclusive recognition of all adults who are caring for a child	• Preferential shift & holiday scheduling • On-site child care • Family day care • School age care • Sick care • Breast-feeding room • Phones near work station • Emergency child referral service • Take home meals	• Parental leave • Family responsibility • Flexible work hrs. • Compressed work week work hrs. • Shorter work week • Reduced hours for nursing mothers
Separation or Divorce	• Garnishing wages • Prepaid legal fees • Coverage for divorced spouse & dependants to a maximum period • Add stepchildren to insurance coverage	• Counselling services	• Personal leave of absences

Working Family Workplace Check List

EVENT	FINANCIAL BENEFTIS	PROGRAMS & SERVICES	LEAVE
Elder Care	• Long term care insurance covering dependants • Respite care • Health insurance for senior relatives • Pay for family responsibility leave	• Adult day care • Care service referrals • Support groups referrals • Support groups • Preferential shift scheduling	• Family responsibility leave • Shorter work week • Flexible work hours • Compressed work week • Negotiated or job sharing or home-working
Violence at Home	• Prepaid legal fees	• Period of no discipline against a worker who is a victim • Support groups • Emergency housing referral	• Personal leave of absence

EVENT	FINANCIAL BENEFITS	PROGRAMS & SERVICES	LEAVE
Moving Relocation	• Moving costs • Travel with partner to new location re: housing, schooling, etc. • Any loss in sale of house, lawyers's fees	• Spouse job Search	• Moving leave • Leave for house search, school search, packing & move
Retirement	• Pensions • Retiree health & dental care, life insurance • RRSP contributions • Long term care	• Preretirement counselling • Newsletters Hot-lines for retirees	• Reduced work hours before retirement • Part time employment after retirement
Death of a Family Member	• Partner & eligible dependants continue medical coverage to a max. period	• Grief counselling	• Inclusive bereave-ment leave • Personal leaves of absence
Death of a Worker	• Beneficiaries receive life insurance • Partner receives at least 50% of remaining benefits		

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"Work & Family & Unions": Labor's Agenda for the 1990s"
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Chapter 2 Family Leave: Time for the Caring Work

Leaves are the oldest, most established form of recognition of workers' family responsibilities, and are the most likely form of recognition to be standardized and legislated by government. Unions have been crucial to the creation of national legislative environments by creating 'trends' in bargaining, lobbying to solidify the trends in legislation, and then working for new gains in the space created by new legislation.

We can see the broader importance of legislated leaves when we begin to recognize that they often form the backbone of a country's "family policy". For instance, there are markedly different national policies towards parental and society's responsibilities during children's early years. The leave and social insurance structures of Sweden and Germany for instance, are based on broad agreement that a) the society has some responsibility for child rearing, b) the best care giver for a child under 18 months is a parent who would otherwise be in the labour force and c) that parents', particularly women's, income and future participation in the work force should not be penalized during this period. The French tend towards agreement that children under three are best cared for by a parent who would otherwise be in the workforce, and have created some structures which make this possible. On the other end of the spectrum, the Americans have privatized the care of young children, leaving it to whatever resources are available to parents and the market that they create with their need.

Canada has a patchwork of policies, reflecting the tension in our society about how much we need to emulate the Americans in order to trade competitively, or whether we can develop a social economy more like those in Europe. Consequently our policies pull working parents in opposite directions: some assume parental care (women not in the workforce) for children under school age, and others make it necessary for those same women to be in the workforce.

Three critical changes are needed in Canadian leaves, both at the bargaining table and in legislation:

1. Increase the length of existing leave
2. Introduce leave for family responsibilities
3. Ensure that leave and benefits are available to all families, including same sex partners

Key Components of Family Leave Systems:

1. **Paid Maternity Leave** - for mothers to take time off work without losing pay or benefits to prepare for birth, to give birth, and to recuperate after the birth.

2. **Paid Paternity/Partner and Adoption Leave** - for partners to take time off without losing pay of benefits to take part in and assist with birth, or the arrival of an adopted child, and the transition of other siblings.

3. **Paid Parental Leave** - for either parent or a significant care giver of a newborn, or parents or a significant care giver of and adopted child to take extended leave following maternity leave to take care of the new child.

4. **Paid Leave for Family Responsibilities** - for all working adults to attend to the needs of sick children, parents, partners, friends or siblings, and to children's educational needs.

5. **Paid Vacation Leave.**

Maternity Leave

Maternity leave has often been the first focus of struggles to gain acceptance in the workplace for women's family responsibilities. It is the most widely accepted legislated family measure. All countries which have signed the Convention on the Elimination of Discrimination Against Women, for instance, have agreed to ensure maternity leave with pay or equivalent social benefits.[1]

All countries which have signed the Convention on the Elimination of Discrimination Against Women have agreed to ensure maternity leave with pay or equivalent social benefits.[1]

The current Canadian maternity leave package is comparatively generous with legislative time off for women who have given birth (17 weeks), but the level of benefit payments is among the lowest. This doesn't completely describe the Canadian situation: each province also has maternity leave legislation (see Appendix B). Four provinces provide for 18 weeks, and each makes different provisions around eligibility, benefit coverage during leave and retention of position. Quebec has the most progressive legislation, which includes the first hint in Canada of statutory sick leave.[2]

In most European countries maternity leave intersects with parental and/or family leaves to form a larger package of time available to parents of new born children. Most collective agreements in these countries ensure that the employer tops ups up maternity benefits to 100% of salary.

The way the European Community (E.C.) and the North American communities deal with maternity leave highlights big differences in their respective approach to social economic policy. The European Community has agreed on common maternity leave legislation. By 1994 all member states must guarantee a minimum of 14 paid weeks, at a level of pay that is equivalent to sick leave pay. While E.C. members with stronger legislation are not required to adopt a lower standard, it will place a downward pressure on their provisions. On the other hand, it will require an upgrade in standards for other member countries. The E.C. explicitly negotiates social policy between its members though an elected body. This in itself does not guarantee the survival of social market economies, but it is an approach which allows more policy debate than the North American Free Trade Agreement. NAFTA has no such mechanism to negotiate common social/economic policy and may achieve common North American social policy by constant, competitive cost cutting, downward pressure on collective agreements and labour standards.

Canadians have every reason to be concerned about the harmonizing of workplace standards in the North American block. Only 37% of U.S. women working in companies of 100 or more had agreements with their employers for unpaid leave in 1990. Only 36% of U.S. collective agreements include extended maternity leaves.[3] A much smaller proportion of women have access to leave with pay.

In Canada we cannot afford to be complacent, particularly about financial support during maternity leave. The apparently inevitable reform of our Unemployment Insurance (U.I.) system may lower or eliminate maternity and parental leave payments. This would leave Canadian women and men unprotected. Because of the existing system no Canadian employer assumes more than 40% of a fully paid maternity leave. Bargaining to 100% in hard economic times, within the North American trading block, would be very difficult.

Maternity Leave - An International Comparison [4]

COUNTRY	LENGTH OF MATERNITY LEAVE	BENEFITS
EUROPEAN		
Denmark	18 weeks: 4 weeks before & 14 weeks after birth	90% of salary
France	16 weeks: 6 weeks before & 10 weeks after birth	84% of salary
Germany	14 weeks: 6 weeks before & 8 weeks after birth	100% of salary
Sweden	12 weeks: 6 weeks before & 6 weeks after birth	90% of salary
Italy	20 weeks: 8 weeks before & 12 week after birth	80% of salary
ANGLO AMERICAN		
Australia	No federal legislated leave	
Canada	17 weeks	60% of salary for 15 weeks
U.K.	40 weeks: 11 weeks before & 29 weeks after birth	60% of salary for first 6 weeks, low support for 12, no support for the last 11 weeks
U.S.	No federal legislated leave	
JAPAN	12 weeks: 6 weeks before & 6 weeks after birth	60% of salary

Topping Up Unemployment Insurance

A number of Canadian unions have negotiated agreements which top up Unemployment Insurance payments for maternity leave. These agreements usually include some paid coverage for the two week waiting period and pay the difference between the 60% payment and 95% of salary. Canadian Union of Public Employees (CUPE) estimates that half of its members are covered only by what is required in law.

The Canadian Labour of Congress (CLC) recommends that the government require all employers to have a supplemental unemployment benefits (SUB) plan where the employer pays the employee's salary during the two week waiting period, pays the difference between 60% during the weeks of U.I. benefits, and 95% of salary, and extends the period of maternity leave with pay beyond 15 weeks. SUB plans could also be established for parental and illness leaves.[5]

Equivalent Benefits to Pregnant Women

The United Nurses of Alberta fought an important battle in 1991-92 which claimed discrimination against pregnant women based on the difference in the treatment of a sick employee and a pregnant one, under the sick leave benefits insurance plan.

The United Nurses of Alberta fought an important battle in 1991-92 which claimed discrimination against pregnant women based on the difference in the treatment of a sick employee and a pregnant one, under the sick leave benefits insurance plan. The Human Rights Commission decided that UNA was right: that the health related portion of maternity leave must be treated as any other health-related absence from work. The Commission's decision means that employers (and insurance companies) whose health benefits insurance program provide paid sick leave must also provide for the difference between U.I. benefits and the health insurance benefits during maternity leave.

In February 1992 the Alberta Hospital Association established a Supplementary Unemployment Benefits (SUB) plan which covers a maximum of 17 weeks after the birth of a child at the same rate as other health benefits: i) 95% of salary if the employee has accumulated sufficient sick leave credit or ii) at 66.3% of salary if the employee has no accumulated sick leave credit but would be eligible for short-term disability.[6]

Extending Maternity Leave

The Canadian Labour Congress (CLC) supports the extension of maternity leave from the current 17 weeks to a maximum leave of 52 weeks. The CLC argues that pregnancy is not an illness, and that sick leave should not be used because of workplace risks to pregnancy or nursing. It further argues that women must be eligible for any employer-provided sickness and disability benefits for any pregnancy related illness. [7]

Maternity Leave: Next Steps

Workplace checklist

- bargain towards top up pay for workers on maternity leave
- bargain to lengthen paid maternity leave
- bargain to eliminate any service requirement for eligibility
- if your employer has a sick leave insurance program, follow the lead of UNA so that your insurance plan covers maternity leave at the same rate. Ensure that pregnancy related illness is covered by the insurance program.

Lobbying checklist

- work toward eliminating the waiting period and any service requirement for maternity leave.
- monitor changes to U.I. carefully, and be prepared to take public action if maternity benefits are decreased

Paternity/Partner and Adoption Leave

The formal recognition of a partner's involvement at the birth of a child is far from being universal. A partner's care for other children at the birth of a new sibling, and the support he/she can provide to the mother are extraordinarily important in making the transition a good one for the whole family.

In Canada, a father can choose to use federal or provincial parental leave at the birth of a child. [8] This leave is not available to same sex partners. Up to 24 weeks - shared between both parents - is federally legislated. Ten weeks are paid by U.I. at 60% of salary. Other countries have created a specific paternity/partner leave: Denmark (2 weeks), France (3 days), and Sweden (10 days).

When a child is adopted there must be recognition for the time needed to prepare for and manage the introduction of a new child, and the subsequent adjustment period. The time available should be the equivalent of maternity leave plus parental leave. Currently in Canada adoptive parents only have access to parental leave.

Paternity/Partner Leave: Next Steps

Workplace checklist

- develop minimum 5 day paternity/partner leave or lengthen the parental leave clause in your agreement by that amount.
- include a clause like the following which includes all parents: "a parent/partner shall be defined as a person who is in a relationship with a parent of the child and who intends to treat the child as his or her own." [9]
- encourage the men in your workplace to take paternity leave at the birth of their child.

Lobbying checklist

- work towards including sexual orientation in the federal and provincial Human Rights Code.
- work towards legislation that provides paid paternity/partner and adoption leave.
- work towards lengthened leave where the birth mother is seriously ill.

Parental Leave

The demands of early parenting go far beyond the physical recovery of the mother from birth or the physical requirements of nursing.

Parental leave is designed to accommodate the needs of adoptive and birth parents in the first year(s) of a child's life. The demands of early parenting go far beyond the physical recovery of the mother from birth or the physical requirements of nursing. Most tasks involved with early childhood can be shared by both parents, or by a significant other caregiver who may also be a worker. However, because tasks are not shared in most households, women experience this period as one of the most stressful in their lives. There is a growing, but uneven recognition of this by governments, employers and by men.

Most Canadian parents are covered by a federally legislated, unpaid parental leave of up to 24 weeks - shared between both parents. Ten weeks of this period is currently paid by U.I. at 60% of salary. A birth mother can, for instance, claim 17 weeks of maternity benefits and then she or her partner claim another 10 weeks of parental leave benefits. The benefit is not available to same sex partners. Some provinces (Manitoba, Nova Scotia, Ontario, Prince Edward Island and Quebec) provide for longer unpaid leave, and several include provisions for extension based on the health and age of the child. Quebec is exceptional, providing for 34 weeks unpaid leave for each birth parent and for parents of an adopted child under the age of 6 (See Appendix B).

We need to be concerned about similar issues as with Maternity Leave. U.I. benefits for parenting leave are only four years old, and are vulnerable in the coming restructuring of U.I. The existing legislated leave is not long enough to allow parents to completely remove themselves from the concerns of the workplace during a high stress period.

Parental Leave - An International Comparison [10]

COUNTRY	LENGTH OF PARENTAL LEAVE		BENEFITS
EUROPEAN			
Denmark	10 weeks	Both parents, birth & adoptive	90% of salary
France	Up to 3 years	Both parents, birth & adoptive	Some allowance available, particularly parents with 3 or more children
Germany	18 months	Both parents, birth & adoptive	First 6 mo. @ 25 % women's average wage, remainder means tested
Sweden	12 months	Both parents, birth & adoptive	90% of salary
Italy	6 months	Mothers, transferable to fathers	30% of salary
ANGLO-AMERICAN			
Australia	None		
Canada	24 weeks	Shared between birth or adoptive parents	10 weeks at 60%
U.K.	None	See 40 weeks Maternity Leave, available to mothers only	
U.S.	30 days family leave	None	
JAPAN	1 year		

Extending Parental Leave

The CLC and CUPE support a 52 week parental leave following the birth or adoption of a child. The leave should be designed so that single parents have as much leave available to them as two parent families.

Parental Leave: Next Steps

Workplace Checklist

- bargain for 52 weeks of parental leave, to be shared between parents, or fully available to a single parent or significant care giver
- bargain a SUB plan for top-up pay for adoptive and natural parents taking parental leave.
- design educational programs and material that encourages the men in your workplace to be involved with their children and to use their parental leave.
- if your collective agreement does not include one, introduce a clause like the following which includes all parents: "a parent/ partner shall be defined as a person who is in a relationship with a parent of the child and who intends to treat the child as his or her own." CUPE proposed language.
- include any of the above provisions as Employment Equity accommodations necessary for women.

Lobbying checklist

- work for 52 weeks of legislated parental leave, and for longer benefits period covered by U.I.
- monitor changes to U.I. carefully, and be prepared to take public action if parental leave benefits are decreased.
- work towards including sexual orientation in the federal and provincial Human Rights Code.

Family Responsibility Leave

Most family responsibility leaves recognize that workers must care for family members other than newborn children. Many cover leave for illness and educational concerns of children, illness of parents, siblings, partners, friends and other dependants.

The newest family related leaves are "family responsibility" leaves. Most family responsibility leaves recognize that workers must care for family members other than newborn children. Many cover leave for illness and educational concerns of children, illness of parents, siblings, partners, friends and other dependants.

Fewer countries have legislated family leave. The Canadian federal government has no legislation: Quebec is the only province that legislates five days unpaid child care leave for attending to a child's health or education needs. A number of Canadian unions have negotiated family responsibility leaves. The Public Service Alliance of Canada's agreement with the federal government included five paid days per year leave for family responsibilities.

In Denmark there is no legislation, but all public sector and most private sector unions have won the right to leave with pay on the first day of a child's illness. In France 44% of collective agreements make the same provision. Only 15% of Japanese public sector employers have such a program even with government subsidies to employers who offer child care leave. Japan legislates unpaid child-care leave for public school teachers and nurses.

Sometimes "family leave" refers to a package of all of the above leaves - maternity, parental, paternal and family responsibility. The 1993 U.S. Family and Medical Leave Act is an example of the packaging of many leaves. It provides for 30 unpaid days which can be used for i) the worker's own serious illness, ii) the care of newborn or newly adopted children, and iii) care of seriously ill immediate family. The Act covers only those employers who have over 500 employees, ie 5% of employers and 50% of the workforce.[11] It should be noted that while this Act signals a new willingness on the part of the U.S. government to intervene in the workplace, it is not a generous amount of time even in two parent families, not the least because it includes the sick leave of workers themselves. All family leave packages need to be scrutinized for potential reduction of total leave time available.

Leave for Family Responsibilities
An International Comparison [12]

COUNTRY	LENGTH OF LEAVE	BENEFITS
EUROPEAN		
Denmark	None	
France	None	
Germany	5 days/year for child's illness	100% of salary
Italy	None	
Sweden	60 days/year for children under 12	90% of salary
ANGLO-AMERICAN		
Australia	None	
Canada	None	
U.K.	None	
U.S.	30 days/year for: i) own illness; ii) care for newly born or adopted children; iii) care for a family member.	None

Family Responsiblity Leave: Next Steps

Bargaining checklist

- bargain for 10 to 20 days per year paid family responsibility leave, covering care for extended family members other than children in existing leave agreements, and extending the length of the leave.
- introduce broad definition of family members, and include same sex clauses for all benefits.

Lobbying checklist

- work towards legislated family leave. The CLC recommends 20 days per year for family emergencies including caring for sick children and elderly parents. CUPE recommends 10 paid days per year.

Vacation

Because most Canadian workers do not have access to adequate leave for caring responsibilities, many use their vacation throughout the year to handle emergencies and illness, leaving little time for a long break from the workplace. Canadian workers have the right to between 2 and 3 weeks of vacation. This is minimal by international standards.

Scheduling vacations is one area where members of a local can support each other. Encouraging members who have family responsibilities to have first choice of vacation times to correspond with school breaks or breaks in elder care, for instance, can go some way toward assisting with employment and caring tensions.

Vacation
An International Comparison [13]

COUNTRY	VACATION LENGTH
European	
Germany	5 1/2 - 6 weeks
France	5 weeks
Italy	4 - 6 weeks
Sweden	5 1/2 weeks
Anglo-American	
Canada	2 - 3 weeks
U.K.	4 - 6 weeks

Vacation Leave: Next Steps

Bargaining Checklist

- work to extend family leaves and vacation.
- encourage extended Christmas shutdowns, which extend the total number of vacation days per year.
- encourage workers with family responsibilities to schedule vacations first.
- the CAW has negotiated a $500 vacation bonus to help workers take their families away on a vacation. Work towards this with your own employer.

Lobbying Checklist

- work towards longer minimum vacations in Provincial Employment Standards Acts.

Key Resources
Family Leave

Canada

Leave for Employees with Family Responsibilities
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Employment Benefits for Lesbian and Gay Workers and their Families
Information Kit from Canadian Union of Public Employees,
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edited by Hyde and Essex, Temple University Press, Philadelphia, 1991.

Parental Leave and " Women's Place "
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by Elliot Shaller and Mary Qualiana, in *Employee Relations*, Vol 19, #1, Summer 1993.

Chapter 2: End Notes

1. Article 11-2(b) of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women states that participating countries commit themselves: "To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority of social allowances."

2. The Quebec legislation includes the right to unpaid leave for medical examinations related to pregnancy.

3.1990 Bureau of Labour Study, quoted in *Putting Families First, AFL-CIO Working Families Resource Guide*, 1992.

4. Sources. Government of Australia, *Paid Maternity Leave*, National Women's Consultative Council, Canberra, 1993. Peter Moss, *Child Care in the European Community, 1985 - 1990*, European Commission Child Care Network, 1990. Sheila Kamerman & Alfred Khan, editors *Child Care, Parental Leave and the Under 3's*, Auburn House, N.Y., Westport & London, 1991. Susanne Stoiber, *Parental Leave and "Women's Place"*, Women's Research and Education Institute, Washington, 1989. Waldie, Brennan and Associates, *Labour Standards: An Interjurisdictional Comparison*, Prepard for the Government of Ontario, 1990. *Conditions of Work Digest*, ILO, Volume 7 #2, 1988.

5. "CLC Position on Maternity-Related Reassignment", March 26, 1991.

6. *News Bulletin*, United Nurses of Alberta, Edmonton, Vol. 16 #1, Feb. 1992.

7. "CLC Position on Maternity-Related Reassignment", March 26, 1991.

8. There is some confusion in Canadian titles for different leaves. Here we will use "parental leave" to refer to the leave available to either parent in the first year of a child's life, described in the next section. It is sometimes called "child care leave".

9. The Ontario Employment Standards Act defines "parent" as including "a person with whom a child is placed for adoption and a person who is in a relationship of some permanence with a parent of a child and who intends to treat the child as his or her own." The proposed language is from a Report on Pregnancy and Parental Leave, CUPE, April 1992.

10. Sources. Peter Moss, *Child Care in the European Community, 1985 -1990*, European Commission Child Care Network, 1990. Sheila Kamerman & Alfred Khan, *Child Care, Parental Leave and the Under 3's*, Auburn House, N.Y., Westport & London, 1991. Waldie, Brennan & Assoc., *Labour Standards: An Interjurisdictional Comparison*, prepared for the Government of Ontario, 1990. Edward Melhuish and Peter Moss, eds. *Day Care for Young Children. International Perspectives*, Tavistock/Routledge, London & New York, 1991. National Women's Consultative Council, *Paid Maternity Leave*, Government of Australia, 1993.

11. Elliot Shaller and Mary Qualiana," The Family and Medical Leave Act - Key Provisions and Potential Problems" in *Employee Relations*, Vol. 19, #1, Summer 1993.

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13. Canadian Auto Workers, *More time for ourselves, our children, our community*, Willowdale, 1993.

Chapter 3 Making More Time: Flexible on Our Terms

Reducing work time or creating flexibility in work time could begin to address both the high stress levels experienced by those working full time, and our current high rates of unemployment.

There is a strong argument for fewer working hours from the perspective of working families, since a key issue for most is a critical shortage of time for caring work. An equally strong argument, restated most recently by Bruce O'Hara in *Working Harder Isn't Working*, is that the current pace of production is inefficient and unnecessarily stressful, and could be redistributed across more jobs. Canadian workers average 45 hours per week. And Canadian workers produce, on average, 20% more than they did 20 years ago.[1] Less time at work would give those in permanent jobs more personal time, and create more jobs.

Unions are bargaining for shorter work time and for more flexible scheduling to accommodate family responsibilities. Flexibility FOR workers is key. It means organizing workplace schedules around the needs of workers and their families. This is the opposite of what is usually meant by workplace flexibility, where a worker is made available to meet the needs of production schedules.

In Italy mothers can reduce their working day by 2 hours/day during a child's first year.

In Australia government employees may work part time during pregnancy and until their child is age two.

Accommodations During and After Pregnancy

A recent decision by the Canadian Human Rights Tribunal ruled that employers are discriminating on the basis of *sex/pregnancy* if they do not make reasonable shift accommodation on the request of pregnant women.

The same Human Rights Tribunal ruled that employers are discriminating on the basis of *family status* if they do not make shift accommodations for employees, especially women, who experience competing demands from family and work.[2]

These rulings show us that Canadian employers are already required to remove the barriers to workers with family responsibilities, through the Human Rights Code and Section 15 of the Charter of Rights and Freedoms. It is now a matter of making the Code apply to individual workplaces, and to legislation.

A range of workplace accommodations can make pregnancy safer, and nursing and early child care possible. They include:

- excusing pregnant workers from hazardous working conditions, with options of relocation to another task or early paid maternity leave
- preferential shifts for pregnant workers
- accommodation of parents' requests for particular shifts
- reduced work hours during the early years of a child's life
- reduced and flexible work hours to allow nursing mothers to feed their children.

Schedule Accommodations: Next Steps

Workplace Checklist

- if your collective agreement does not include it, develop a list of work hazardous to pregnant women and demand that they be given other work during pregnancy, or given leave with guarantees for their return.
- develop demands that make it possible for pregnant women to work reduced hours on their request
- support and demand preferential shift selection for pregnant and new parents.
- remind your employer of the recent Human Rights Tribunal decisions

Flexible Work Week

Some workplaces have established mandatory core hours and provide employees with flexibility around which other hours they will work during the day.

Flexibility in regular hours can assist working parents to pick up their child before the child care program closes, take a partner to regular physiotherapy, take a parent to the doctor, coordinate time off with a partner, or handle the occasional emergency.

Some workplaces have established mandatory core hours and provide employees with flexibility around which other hours they will work during the day. These are useful options for workers who need to facilitate the schedules of their dependants.

There are drawbacks to the way some of these arrangements work out in 'real life'. Management can develop particularly punitive monitoring for workers who choose not to work the standard day. Co-workers can feel real resentment when some workers leave earlier than everyone else, particularly when the workload is not well balanced or organized.

Fexible Work Week: Next Steps

Workplace Checklist

- bargain for flexible work hours.
- demand that management arrange the workload so that work is evenly distributed throughout the "flexible" day.
- conduct educational sessions with members about work and family issues that address co-workers resentments about those working non-standard days.
- give workers with heavy family responsibilities preference in selecting when they wish to work during the 'flexible' day.

Shorter Work Week at Full Pay

Canadian unions are beginning to bargain for a shorter work week at the same rate of pay. It is a solution that has the potential to not only save existing jobs, but to create more. The CLC recommends a 35 hour work week.

There are real concerns related to the transition to a shorter standard work week. Employers are more likely to agree to shorter work time at a lower rate of pay rather than shorter hours at the same rate of pay. Reduced pay is an option few workers can take advantage of. Many struggle on their current wages to support a family. A transition period to a shorter work week could freeze wages for a period, and even more families may feel they need more than one job. It is also possible that the jobs created by shorter work time would be contractual or part time, instead of permanent, full time jobs.

Work Weeks (in union settings) An International Comparison [3]

Europe

Denmark	35-37 hours
France	35-39 hours
Germany	35-40 hours
Italy	36-40 hours
Sweden	35-40 hours

Anglo-American

Canada	37.5-40 hours
U.K.	35-40 hours

Shorter Work Week: Next Steps

Workplace Checklist

- bargain for a 35 hour work week at current rate of pay
- ensure that any new positions are part of the bargaining unit.

Lobbying Checklist

- work towards a legislated 35 hour work week.

Compressed Work Weeks, Salary Deferral and Sabbaticals

Most workers recognize that longer breaks from their jobs make it possible to handle their caring responsibilities more effectively and to take care of their own growth and education. Most workers return to work with increased energy after longer breaks. Options which allow employees to work longer over one period, or to bank their salary, and then take longer periods of time off are designed to recognize that many workers find longer periods of time off quite valuable. These options do not propose a reduction in total hours worked.

COMPRESSED WORK WEEKS: Some unions and employers have worked out variable work week options which allow employees to choose their hours of work, recognizing that some workers will find whole or part days off more valuable than a shorter work day. For example The Cooperators Group options for a 36 hour work week include:

i. 5 days per week x 7.2 hours;
ii. 4.5 days per week x 8 hours;
iii. 5 days x 8 hours one week and 4 days x 8 hours the next.[4]

SALARY DEFERRAL: A Staff Voluntary Leave Plan negotiated by CUPE allows workers to bank a proportion of their salary in preparation for a paid leave of at least 6 months in any given three - six year period.[5] The Plan allows employees to design the timing and length of their leave according to their specific needs. The CUPE Plan is similar to, but more flexible than, the arrangement worked out at the Toronto School Board where an employee can work for 4 years and take one off. During that 5 year period he/she would receive pay equivalent to 4 years of salary.

Once thought about only in relation to tenured staff at universities, sabbaticals are being considered by other educational and skilled workers who require regular updating in their fields.

SABBATICALS: Once thought about only in relation to tenured staff at universities, sabbaticals are being considered by other educational and skilled workers who require regular updating in their fields. People on sabbatical are relieved from their regular responsibilities to take on a special project. University sabbaticals are traditionally one year in every seven. While sabbaticals are not designed specifically to address caring needs, they are sometimes arranged to co-incide with a birth or other family event. The release of one earner from the regular work requirements sometimes enables all family members to re-organize their lives.

Compressed Work Week and Salary Deferral Next Steps

Workplace Checklist

- bargain for:
- a flexible work week
- a compressed work week
- a salary deferral and personal leave plan
- sabbaticals

Homeworking

Federal public service workers with computers at home tend to work an average of 2.5 hours longer per day than those without.[5]

Teleworking and homeworking may be proposed by employers as a response to their employees' problems with child care and elder care. It is, however, an option that is being viewed with some concern by unions and caring professions.

Growing numbers of booking clerks, accountants, clerical workers, tele-marketers, garment workers, small electrical manufacturers, researchers and managers are working out of their homes for part or all of their work week. For many workers in both the public and private sectors, this is a relatively new option for both part time or full time work. Teleworking and homeworking are integral to the new "just in time" production processes in some manufacturing sectors. Home production sites are increasingly possible for clerical, sales and accounting work because phone lines and computer linking technologies are accessible and relatively simple. While homeworking has not reached beyond the above sectors in Canada, it is important to note that in Asia and some parts of Europe, homes are increasingly the production site for all but final assembly of automotive parts, refrigerators, small appliances and garments.

Homeworking and telework can benefit employers. It can mean renting less expensive office space, reducing the interpersonal management of on-site workers, further contracting out and reduction of a permanent work force, less responsibility for health and safety conditions, and instituting "piece work" production or electronic monitoring in order to lower wages or increase productivity, and in some instances eroding the union membership.

Homeworking is attractive to workers, but for very different reasons. As the Public Service Alliance of Canada (PSAC) points out in its report on telework, *Go Home...And Stay There?*, "the reasons for telework's attractiveness often relate to juggling family and work obligations, commuting distance and any number of individual life circumstances."[6] Garment workers, for instance, most frequently report that the lack of affordable child care is the reason that they accept piece work at home. The PSAC report suggests that a second cluster of reasons for workers wanting to work at home is to manage increased workloads and regular overtime in ways that do not keep them away from their family and community.

It is important to recognize that the experience of all teleworkers and homeworkers is not the same. Managerial workers with few household, child or elder care responsibilities, who have homes large enough for separate work spaces may be able to control their home environment so that they are more productive and less stressed. Others - garment workers, clerical workers who are more likely to be women with children at home and/or elder care responsibilities - are often trying to do two jobs at once, often with very little control over their paid work or caring work conditions. Home workers with dual responsibilities often experience a lengthened and interrupted work day.[7] When pay is tied to production, as with garment workers and some clerical workers, wages are reduced. Non-unionized homeworkers have very little protection under provincial Employment Standards legislation.

Homeworking, where it is agreed to by unions and workers, must be supported by quality child and elder care outside of the workplace, as much as any other place of production. Homework is not a substitute for dependant care programs.

Homeworking: Next Steps

Bargaining Checklist

- if homeworking is proposed as a solution to caring responsibilities, bargain instead for increased family leaves and reduced work week.

- if homeworking is agreed to by the union, PSAC recommends bargaining collective agreements which ensure:

  -same pay, benefits, sick leave, status and productivity expectations for homeworkers and other workers. No electronic monitoring should be agreed to.
  - voluntary agreement to homework, with the right to return to the central workplace.
  - home office equipment, ergonomic furniture, maintenance, telephone, rent, and liability insurance paid for by the employer.
  - limits on time spent homeworking, paid overtime.
  -computer training and on-going technical support, resource materials provided by the employer. Union workshops on homework.
  - space in central workplace to meet and interact with colleagues
  - a common work day for both office and homeworkers
  - union access to addresses and phone numbers of their members who work at home.
  -equivalent family service support to homeworkers as central office workers.

Lobbying Checklist

- work towards Employment Standards legislation which protects the wages, health and safety and working conditions of homeworkers.
- work towards a national child care program.

Job Sharing, or Voluntary Part time Work

Job sharing has occurred mostly among women professional workers with reasonable salaries: librarians, nurses, teachers and recreation workers.[9]

Job sharing is an arrangement where two workers agree to share an existing job. It is another name for voluntary part time work. Both part time work and job sharing have grown over the last decade. Job sharing has occurred mostly among women professional workers with reasonable salaries: librarians, nurses, teachers and recreation workers.[9] Working part time is appealing because it offers the possibility of staying connected with a career, maintaining a steady income and allowing more time for caring responsibilities, pursuing further education and/or other business interests. It is however, possible only for those who do not need more than half a salary.

There are problems with job sharing. Unless job-sharers are protected by a collective agreement, they may not be able to return to a full time position after a period of job sharing. That is, one job can easily be reclassified as two part time positions. Benefits are more difficult to maintain for part time workers, and job-sharers may lose benefits. Those holding part time jobs may find that they both work longer hours than they are paid for, and that the position's responsibilities are eroded. Part time workers are often passed over for responsible assignments and for promotion.

Unions have recognized that while job sharing is problematic, it is attractive to some members, particularly women with caring responsibilities. The B.C. Federation of Labour Women's Committee, CUPE [10] and the National Union of Provincial Government Employees[11] recommend a similar approach:

- ensure that all job-sharing and part time positions are part of the bargaining unit
- ensure that job-sharing is voluntary
- restrict the number of job-sharing arrangements
- negotiate job-sharing for specific periods, set in the collective agreement.
- negotiate provisions for ending the job-sharing arrangement if one job-sharer leaves before the end of the agreement
- schedule regular hours of work, posted in advance

- ensure that the employer agrees to find full time work at the end of the agreement
- ensure that part time workers and job-sharers have equivalent agreements to full time workers around rate of pay; payroll benefits; paid overtime for hours worked above normal working hours; pro-rated sick leave, vacation, pensions and insurance benefits; seniority accumulated on a calendar-year basis.
- ensure that casual workers are able to carry forward seniority and benefits from one period of employment to the next.

Job Sharing: Next Steps

Bargaining Checklist

- use the above B.C. Federation of Labour Women's Committee/CUPE checklist to ensure fair treatment for part time workers and job sharers.

Key Resources
More Flexible Time

Go Home...And Stay There?
A PSAC Response to Telework in the Federal Public Service
by the Public Service Alliance of Canada, August 1993.

Job Sharing
Information Kit from Canadian Union of Public Employees, 21, rue Florence Street, Ottawa, K2P 0W6.

More Time for Ourselves, Our Children, Our Community
by the Canadian Auto Workers, 205 Placer Court, Willowdale, Ontario M2H 3H9, 1993.

Part-time Work
Information Kit from Canadian Union of Public Employees, 21, rue Florence Street, Ottawa, K2P 0W6.

Working Harder Isn't Working:
How we can save the environment, the economy and our sanity by working less and enjoying life more,
by Bruce OHara, New Star Books, Vancouver, 1993.

International

The Changing Workplace: New Directions in Staffing and Scheduling,
Bureau of National Affairs, 1231 25th Street, N.W. Washington, 20037. 1986.

Chapter 3: End Notes

1. From Department of *Finance Quarterly Economic Review*, 1991 pg.70. Government of Finance, reported in O'Hara, *Working Harder Isn't Working*, 1993.

2. "The Duty to Accommodate: Can Employee Returning from Maternity Leave Insist on Day Shift?", *Lancaster's Women Pay Equity Employment Law News*, April 1993.

3. Canadian Auto Workers, *More Time for ourselves, our children, our community*, 1993.

4. Canadian Cooperative Association, *Family Friendly Co-ops in Canada*, 1990.

5. Canadian Union of Public Employees, *Staff Voluntary Leave Plan*, November 1, 1991.

6. Public Service Alliance of Canada, *Go Home... And Stay There?*, August 1993.

7. Margaret Oldfield, *The Electronic Cottage - Boon or Bane for Women? Mothers of Small Children Doing Clerical Work at Home and the Implications of their Experience for Public Policy*, unpublished thesis, University of Calgary, 1991.

8. Linda Duxbury, Christopher Higgins, Catherine Lee, Shirley Mills, *Balancing Work and Family: A Study of the Canadian Federal Public Sector*, December 1991.

9. Gene Errington, "Sharing the Work. Part-time by any other name..." *The Facts*, CUPE, December 1984 - January 1985.

10. Jane Stinson, "Full-time jobs are being replaced with part-time jobs" and Gene Errington, "Part-time work by any other name..." in *The Facts*, CUPE, December 1984 - January 1985.

11. National Union of Provincial Government Employees, *National Union Policy on Job Sharing*, Adopted at 7th National Convention, March 1988.

Chapter 4 Workplace Services

A range of workplace services or programs can assist with employees' caring responsibilities. They have developed from union and management observations and surveys about when during the work day employees experience the most concern about or stress around family responsibilities, what those are, and how they might be alleviated. The scope of solutions can range from small changes in routine, to providing programs for family members at the workplace. Employers with larger facilities are more likely to consider the kinds of programs that take place at the workplace itself, but employers of all sizes can and have supported existing programs off-site, or joint programs with other employers.

Even small changes can alleviate the worries of workers. The right to make and receive family-related calls during working hours would make a large difference, particularly for many manufacturing workers.

Employers can offer a range of programs which do not require large expenditures. These include counselling services (parenting, marital, violence, stress, grief, pre-retirement), organizing support groups, emergency referral services (child care, elder care, emergency housing), and health programs (pre-natal, health risk appraisals).

Unions are also winning more complex accommodations from employers. These include on-site fitness programs, small office kitchens, or cafeterias with health conscious menus and take out facilities, as well as workplace child care and elder care programs.

Child Care

Good child care is good early childhood education. Good education begins in infancy, and is an investment in our children's ability to function in complex and demanding social and economic environments. Child care policy and programming must be measured by whether they result in good education, not by whether they meet the needs of the workplace.

From the perspective of working parents, good child care is an essential support to their parenting responsibilities while they are at work.[1] When parents are satisfied with their child care arrangements they experience less work/family conflict and are likely to miss fewer days of work.[2] Child care is more than child minding - working parents need to know their children are receiving the best possible care and education. Society cannot afford to undo the damages of inadequate or abusive care. Parents and employers cannot afford the consequences of unstable arrangements.

More Canadian children are in informal, unregulated situations than fifteen years ago. Regulated spaces in centres or family home day care settings are available for only 14% of children under 6, and 7% of children age 6 - 9 whose parents are in the workforce. Only 17% of these spaces are publicly funded through subsidies to those parents who are least able to pay.

One of the immediate, critical, social policy questions in front of Canadians is whether we have the political will to establish a national child care program to meet the needs of parents and children.

One of the immediate, critical, social policy questions in front of Canadians is whether we have the political will to establish a national child care program to meet the needs of parents and children. During the 1993 federal election the Liberal Party promised to build new spaces, and signaled in their first budget that there would be federal funding in 1995-96. This promise is still conditional on agreement from each of the provinces to share the costs. In early 1994 the federal government is planning a Social Policy Review. The promised national child care program, the Canada Assistance Program, revisions to Unemployment Insurance, pensions, health care, training and education are all being re-examined for potential cuts.

Affordable, quality child care must be an intregral part of the infra-structure of an economy where most parents are, or need to be, employed. Recent studies in Ontario have shown that the lack of affordable child care has serious consequences. It is the reason that 25% of rural women in Algoma County are unable to work, that 22% of urban food bank users are not working, and that teenage mothers are unable to return to school. Toronto garment workers report that the single most important reason they accept homework is the lack of child care.[3]

Other national economies do support comprehensive, publicly funded child care programs. Over 80% of children between ages 3 and 6 are in publicly funded child care in Denmark, France and Italy. In France virtually all children in that age group attend public full-day preschool programs. Fewer countries have comprehensive programs for children under age 3. However, in Denmark almost half of children in that age group have access to publicly funded and regulated family day care or nurseries. These are all-day programs which emphasize early childhood education. Governments of these countries have designed other measures to ensure that parents' work days match the child care/education day, rather than the other way around. In comparison, the U.S. and the U.K. invest very little in children under age 6. All U.S. child care funding is directed through welfare programs.

Publicly Sponsored Child Care
An International Comparison [4]

COUNTRY	% Ages 0-3 in public programs	% Ages 3-5 in public programs	Compulsory education	% School Age children in after school programs
Denmark	48%	61% in kinder - garten	Age 7 3-5.5 hrs./day	Recreation centres
France	20%	95%	Age 6 8 hrs/day	NA
Germany	3%	65 - 70%	Age 6 4 - 5 hrs/day	4%
Italy	5%	85%	Age 6 4 hrs/day	NA
Sweden	69% age 1 - 6		Age 7	20%
Canada	17% of spaces publicly operated 12.3% of children of working parents have regulated child care	85% use publicly funded Jr. and Sr. Kindergarten programs where available	Age 6 6.5 hrs./day	7% Recreation centres provide care for an un-determined number of children*
U.K.	2%	35-40%	Age 5 6.5 hr/day	NA
U.S.	Most child care is private			
Japan	50% of working parents whose children are under 5 use child care			

* *Recreation programs are often used for child care, but not intended for this purpose.*

Workplace Child Care

There were 176 workplace child care centres in Canada in 1993.[5]

Canadian employers opened workplace child care programs to support women workers during World War II, and began again in the 1960s, particularly in hospitals. Unions have a long history of participating in the struggle to establish quality education and care for children, both for individual workplaces and for the whole population. The B.C. Government Employees Union initiated the first child care centre funded by a union in 1971. Most workplace centres that have followed are subsidized by employer contributions and/or wage deferrals. They are in places where the workforce is predominantly women, particularly in health care and social service facilities. In the private sector, the first child care centre for auto workers opened in Windsor in 1990 as a result of negotiations between the Canadian Auto Workers and Ford, Chrysler and GM. In 1993 the "Big Three" auto makers agreed to contribute 5 cents for every hour worked to a child care fund.

Workplace child care can be:

- On-site or near-site centres, established for the use of employees.
- Off-site centres, located in a community building.
- Consortium centres, established for the use of employees of two or more employers.
- The coordination of off-site family home centres for use of employees working irregular hours.
- Workplace programs are generally licenced, have qualified staff, and are managed as non-profit centres by a union controlled board, a joint union-management board, or operated directly by the employer.

There are a number of issues raised by experience with workplace child care.

- Smaller workplaces or workplaces with a small number of employees who need the service cannot afford to operate a full program.
- Where they exist, many workplace programs are not able to meet employee demand, particularly for very young children.
- Extended hour settings are difficult to operate. Employees irregular shift schedules mean irregular use, and increased costs to parents. Very few programs that have attempted extended hour programs have managed to maintain them.

- Extended hours child care services disrupt children's sleep and schedules
- The parent whose workplace provides care is likely to become the one responsible for all transportation, emergency care, and other arrangements. When both parents do not have workplace child care, it makes parental sharing of child-rearing responsibilities more difficult.
- Even large employers like the auto makers cannot cover the costs of programs that meet all their employees' child care needs.

Child care should meet the needs of children, and to attempt to do otherwise simply doesn't work.

This experience emphasizes how difficult it is to make quality child care available to all children without a publicly funded infrastructure. Individual employers, no matter how well intentioned, are not able to adequately subsidize the costs of the full range of their employees' child care needs. It also suggests that workplaces, rather than parents or programs, should be organized to accommodate the school and child care day. Child care should meet the needs of children, and to attempt to do otherwise simply doesn't work. The Ontario Federation of Labour is among the groups which have recognized this reality:

> "while workplace care can resolve some problems, it cannot be the foundation for the comprehensive system of care that we are seeking ... In our view, workplace centres are not a solution to the problems which currently exist, but would be only one component of a diversified system of care" [6]

EMPLOYER SUPPORTED CHILD CARE FUNDS. The CAW negotiated the first Canadian private sector child care fund with American Motors in 1983. The employer agreed to pay two cents for every hour worked by each employee into a day care fund which was then used to help employees pay fees in community child care centres. In 1989 CUPE and the Toronto YWCA agreed that employees would recieve $50 per month for one child, and an additional $20 per month for each additional child for child care expenses. These kinds of agreements are particularly useful in small workplaces where the costs of operating a program are not realistic.

CHILD CARE REFERRAL SERVICES. A number of employers now offer referral services for employees who need to arrange child care. These services can be of considerable help to new parents who are not familiar with their community, or the process of applying for subsidies, etc. It should be noted however that the services are expensive to keep up-to-date, and that they do not guarantee child care to employees, nor do they assist with child care costs.

ORGANIZING AND RAISING THE WAGES OF CHILD CARE WORKERS. Child care workers are among the lowest paid workers in Canada. Most child care workers in regulated programs have post-secondary training. Few belong to unions. Those who do have negotiated higher wages. The collective bargaining process is critical to establishing that caring labour is valuable, and that our children are valuable.

Child Care: Next Steps

Workplace Checklist

- Conduct a survey of members' dependant care needs.
- Set up a child care committee.
- Bargain for employer contributions to a child care fund, or for a workplace centre.
- Bargain for family responsibility leave. Even with good child care, parents need access to emergency time.
- If you have a workplace child care program, work to raise the wages of the program staff.
- Encourage your union to support the organizing of child care workers.

Lobbying Checklist

- Lobby for sectoral bargaining
- Participate in the campaign for a National Child Care Program. Meet with federal, provincial and municipal politicians.
- Participate in the federal Social Policy Review.

Elder Care

Lack of community based day facilities, and government cuts to long term care units and home care programs are making it more difficult for working families to manage their responsibilities.

The challenge to maintain the independence, dignity and quality of the lives of their elders faces many families. Lack of community based day facilities, and government cuts to long term care units and home care programs are making it more difficult for working families to manage their responsibilities. Caring for elders can be a heavy burden for families, both financially and emotionally. An ill or disabled parent can often be the cause for a worker, most usually women, to leave the workforce.

Some unions and employers have started workplace day programs for seniors. Some have explored integrating the two, creating programs for children that make use of the presence of elders. The issues with these programs are similar to workplace child care: the workforce with dependent elders needs to be large enough to make the program financially possible, irregular shifts mean irregular use and increased costs, and the sharing of responsibilities between working partners can become unbalanced if only one has access to a program.

Many workers do not live in the same community as their parents, but are primarily responsible and are expected to be available for emergency care. Employees in this situation require different kinds of assistance. Some unions have negotiated extra health benefits for elderly parents, long term sick leave insurance for workers to care for elderly parents and employer contributions toward the costs of extended or home care.

Elder Care: Next Steps

Workplace Checklist:

- conduct a survey of members' dependant care needs
- set up an elder care committee
- bargain for paid family leave
- bargain for use of long term sick leave for caring for dependent family members
- where appropriate, work towards a workplace day program for seniors.

Lobbying Checklist:

- participate in the upcoming federal Social Policy Review.

Key Resources
Child Care

Canada

Canadian National Child Care Study,
by Donna Lero, Hillel Goelman, Alan Pence, Lois Brockman and Sandra Nuttall, Statistics Canada, Government of Canada, July 1992.

Caring for a Living
A Study on Wages and Working Conditions in Canadian Child Care by Karyo Communications for the Canadian Child Day Care Federation and the Canadian Day Care Advocacy Association, 323 rue Chapel Street, Ottawa K1N 7Z2, 1992.

Child Care Legislation and Regulation in Canada
background papers on each province, Canadian Child Care Federation, #306 - 120 Holland, Ottawa K1Y 0X6, November 1993.

Child Care and Unions: Moving the Issues Forward
Instructors Manual and Student Manual, prepared by Westcoast Child Care Resource Centre, in cooperation with the B.C. Federation of Labour, 1993.

Employers, Unions and Child Care
by Jane Bertrand, Ontario Coalition for Better Child Care, 500 A Bloor Street W., Toronto M5S 1Y8, 1993.

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by Shahid Alvi and Maria de Wit, the Conference Board of Canada, May 1993.

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Child Care in the European Community, 1985-1990
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Child Care, Parental Leave and the Under 3's
edited by Sheila Kamerman and Alfred Khan, Auburn House, N.Y., Westport & London, 1991.

Day Care for Young Children. International Perspectives
edited by Edward Melhuish and Peter Moss, Tavistock/Routledge, London & New York, 1991.

Chapter 4: End Notes

1. This is not a new or particularly radical idea. The federal government passed emergency legislation in 1943 to established child care centres for children of women working in war-related industries.

2. Geoff, S., Mount, M., & Jamison, R., "Employer Supported Child Care, Work/Family Conflict and Absenteeism: A Field Study", *Personnel Psychology,* Vol.43 (4),1990.

3. Ontario Coalition for Better Child Care, "Time for Child Care Reform", 1991.

4. Sources. Child Care Resource & Research Unit, University of Toronto, 1994. Peter Moss, *Child Care in the European Community, 1985-1990,* European Commission Child Care Network, 1990. Edward Melhuish and Peter Moss, eds. *Day Care for Young Children.* International Perspectives, Routledge, 1991. Sheila Kamerman & Alfred Khan, eds. *Child Care, Parental Leave and the Under 3's,* Auburn House, N.Y., Westport & London, 1991. *Conditions of Work Digest,* ILO, Volume 7, #2, 1988.

5. Jane Bertrand, *Employers, Unions and Child Care,* Ontario Coalition for Better Child Care, 1993.

6. Quoted in Margie Mayfield, *Work Related Child Care in Canada,* Women's Bureau, Labour Canada, 1990.

Chapter 5 Flexible Workplaces, Not Infitintely Flexible Workers: Bargaining and Lobbying Strategies

The issues raised in the previous four chapters were discussed by union leaders, staff, bargaining committee members and community workers at a working session called "Bargaining for Working Families" on March 7, 1994 in Toronto. The Symposium was co-sponsored by the Ontario Federation of Labour Women's Committee and the Ontario Coalition for Better Child Care. Delegates brought their experience as organizers and policy analysts to the central question of the next steps needed to ease the tensions between paid and unpaid work. Their recommendations take the observations made in the previous chapters to the next stage of preparation for strategic action.

The ease with which the Symposium was organized, and the sustained, positive interest among the delegates confirm that these issues are current and critical. The women and men present were more than familiar with economic restructuring and its impact on workplaces, as well as with the debates around family related leaves and benefits. But few had publicly reflected on how our 'private' lives have been restructured along with the economy, or on how this restructuring adversely affects our relationships and communities. Instead of being overwhelming, this kind of reflection seemed to generate new energy among the delegates.

It was also very clear throughout the preparations and the day itself that these issues are not going to be won solely at the bargaining table. Negotiations are most likely to be successful in the context of a strong social, community-based movement that continually voices working family and community issues.

The event was structured around two workshops where delegates discussed:

a) "Building our own agenda" - identifying measures most likely to create more workplace flexibility rather than worker flexibility;

b) "Winning the agenda" - strategies which can take our movements forward.

Short presentations and panels provided a framework for each of these sessions. The following short description of the presentations should provide you with a sketch of the information that delegates were working with.

- Reclaiming the working families agenda
  Julie Davis, Ontario Federation of Labour
- The Corporate Agenda Hurts -
  Working family issues are key to mobilizing against it
  Kerry McCuaig, OCBCC
- The new social map of Canada
  Martha Friendly, NAC Childcare Committee
- Changing work creates new divisions between workers
  Morna Ballantyne, CUPE
- Limitations of existing solutions
  Penny Bertrand, PSAC
- Market solutions versus public policy
  Barbara Cameron, York University
- Solutions do exist: an international review
  Alice de Wolff, OCBCC
- Using Employment Equity to pursue these issues
  Winnie Ng, WCEE
- Towards a social infrastructure that supports working families
  Peggy Nash, CAW
- Bell Canada's survival leave package
  Janice McClelland, CEP

Recommendations from "Bargaining for Working Families"

At the end of the Symposium there was a commitment from delegates to bring the following recommendations back to their own organizations for debate, ratification and action.

Education Strategies

A series of education strategies are required to move working family issues from the day to day "private" worries of workers to the public realm of bargaining and public policy. Education campaigns need to:

Raise these Issues:

Challenge the idea of the "ideal, flexible worker". Redefine the "ideal, flexible workplace" from the perspective of workers.

- Connect the day to day personal responsibilities and worries of workers to their analysis of corporate and economic restructuring. Our lives have been restructured as well as our work.

- Challenge the idea of the "ideal, flexible worker". Redefine the "ideal, flexible workplace" from the perspective of workers.

- Create broad support for employment equity. Address the backlash. Systematic discrimination exists. We must treat people differently in order to achieve equality.

- Address women's misgivings about family and community related measures. The woman who both looked after her kids and worked over the past 20 years may not easily understand why younger parents should have more assistance. Workers should be encouraged to examine what has changed: in this instance they could be encouraged to see how wages are lower, and/or that extended family systems are not available because grandmothers and aunts are working.

- Address the ways that new measures such as flexible work weeks, job sharing or homeworking can be used against workers, or set workers up in competition with each other.

• Resist the temptation to simplify the issues or reduce campaigns to a single issue: the solutions will be interconnected measures which touch a number of different parts of our caring lives.

With these People:

• Challenge union membership.

• Challenge and educate union leadership, who are predominantly white men or women who are, for instance, no longer primary child care givers. The triple days of their membership - work, union organizing, and caring - need to be more visible to them.

• Challenge members of community groups: child care workers, elder care workers, parents, anti-poverty groups.

In these Places:

• On the job, at the workplace, on employers' time.

• In mainstream union leadership training and training of bargaining committees.

• Union conventions and conferences.

•Women's conferences, child care groups, school meetings, anti-poverty conferences.

• Year of the Family conferences.

• Meetings concerned about federal social programs review, or any social assistance reform.

Bargaining Strategies

The issues included in bargaining can become a catalyst for everyone - employees and employers - to look at workplaces, and consequently our society, differently. Bargaining to enable workers to handle their caring responsibilities could place more focus on workers' ability to be full members of society, and shift the focus from market solutions and the needs of production.

We need bargaining strategies which will:

Bargain for more paid family leaves, mandatory vacation, early retirement and limits to overtime. Bargain for reduced work weeks with no loss of pay, and for increased numbers of workers.

- Reduce work time. Bargain for more paid family leaves, mandatory vacation, early retirement and limits to overtime. Bargain for reduced work weeks with no loss of pay, and for increased numbers of workers.

- Create union guidelines and handbooks for bargaining for reduced work time.

- Prevent the backlash. Bargain for a package of "discretionary leave" if family leaves are likely to create a backlash among workers without caring responsibilities.

- Achieve pay equity. Bargain for higher wages for women.

- Establish equal benefits for part time workers.

- Repatriate work. Bargain for union permission to contract out, and for contracting-in provisions for work currently outside the bargaining unit.

- Achieve employment equity. In Ontario use Employment Equity legislation to bargain measures which remove barriers to workers with family responsibilities. Note, and try to counteract, the potential for employment equity measures to work more effectively for white women than racial minority women and women with disabilities.

- Expand the definition of "families".

- Introduce "interest based" bargaining structures, which can help ensure that the interests of women, racial minorities, people working in all occupations within a workplace are represented in bargaining.

- Reorganize bargaining so that workers with caring responsibilities can take leadership roles.

- Include family and community caring issues in union surveys.

- Develop sectorial bargaining in hard to organize, low paid service and manufacturing sectors. The targets for sectorial bargaining are higher wages, and shared, sector-wide benefits like health insurance, training funds, child care, etc.

- Expand workplace training for those care-givers who are already organized.

Lobbying Strategies

Lobbying for legislated changes can be thought of as a macro bargaining strategy. It is a necessary component of bargaining for change. Symposium delegates frankly recognized that without legislation many of the above bargaining goals are not likely to be reached in more than a small number of workplaces. As one group noted, the social ground rules need to change for bargaining on these issues to work. In order to do this we must be continually looking for opportunities to do the education work, at women's conferences, child care conferences, at anti-poverty meetings, etc. Lobbying must focus on the responsibility of governments to use our collective wealth (taxes) to cover social infrastructure costs that most workers and employers individually cannot afford.

We need to lobby for public policy which will:

• Create a universal, publicly funded, non-profit, quality child care system. This will involve establishing agreement for new social spending. Both the provincial and federal governments have the power to initiate major steps towards this goal.

• Create more publicly funded elder care.

• Raise provincial employment standards, in particular:
- increase the minimum wage. We need to regain the "social wage".
- reduce the work year (longer vacation, longer leaves, shorter work week) without loss of pay
- lengthen parental and maternity leaves
- establish paid sick leave
- establish paid family responsibility leave
- establish a lower, enforceable ceiling on overtime
- provide protection for homeworkers
- ensure equal benefits for part time workers

• Establish and ensure the portability of benefits and skills from one employer to the next.

• Revise payroll "taxes" (health insurance, U.I., CPP, Workers Compensation) so that employers' costs of hiring new workers are equivalent to the costs of requiring permanent workers to work overtime.

•Recognize same sex spouses. Lobby for inclusion of discrimination based on sexual orientation in provincial and federal Human Rights Codes, for employment benefits for same sex partners, and for protection in Employment Standards legislation.

• Maintain and expand maternal and parental leave within the federal Unemployment Insurance system.

• Create more effective employment equity and pay equity legislation, at both the federal and provincial level. A province-wide union strategy is needed.

- Expand training for care-givers.

- Strengthen the coalitions between unions and child care and domestic workers, home care workers, personal service care and other low paid service sector workers.

- Reform provincial labour relations acts to allow sectorial bargaining.

Appendix A

Women In the Workforce: An International Comparison

Women in the Workforce: An International Comparison *

	% of Women in Workforce	% of Women in Workforce with Youngest Child under 3	% of Women in Workforce with Youngest Child 3 - 5	% of Lone Mothers in Workforce with Children under 3
AUSTRALIA	51.6% in 1992 24.9% in 1947			
CANADA	57.6% in 1992	62% in 1991 32% in 1976	68% in 1991 41% in 1976	
DENMARK	79.2% in 1988	83.9%		80.9%
FRANCE	60.1% in 1988	60.1%		69.6%
GERMANY	FDR - 55.8% in 1990	39.7%		50.4%
	GDR - 90% pre-1989 unification			
ITALY	43.3% in 1990	45%	68%	
JAPAN	48.6% in 1987	(68% of working women are married)		
SWEDEN	84% in 1991	86.9% with pre-school age children in 1989. 36.8% in 1965		81%
UK	64.3% in 1990	36.9%		23.4%
US	68.5% in 1990	52.5% in 1990 39% in 1978		45.1%

* NOTE: Participation rate is a good but not sufficient indicator of women's participation in the labour force. Hours at work rates which calculate totals of part time & full time work would make comparisons more accurate.

SOURCES: National Women's Consultative Council, *Paid Maternity Leave*, Government of Australia, 1993. Sheila Kamerman & Alfred Khan, eds. *Child Care, Parental Leave and the Under 3's*, Auburn House, N.Y., Westport & London, 1991. Peter Moss, *Child Care in the European Community, 1985-1990*, European Commission Child Care Network, August 1990. Larry Carney & Charoltte O'Kelly, "Women's Place in the Japanese Economic Miracle", in Kathryn Ward, ed. *Women Workers and Global Restructuring*, ILR Press , Cornell University, Ithica N.Y., 1990. Statistics Canada, 1993.

Appendix B

Family Related Leave and Benefits in Canada

Reprinted from Family Related Leave and Benefits, Human Resources and Labour Canada, Government of Canada, 1993

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LEAVE FOR BIRTH OR ADOPTION OF A CHILD[1,2,3]				
Jurisdiction (Legislation)	**Maternity**	**Adoption**	**Paternity**	**Parental**
Federal (*Canada Labour Code*)	• **17 weeks** unpaid • length of employment for eligibility · 6 months • seniority/benefit protection · reinstatement with seniority and pension, health and disability benefits continued during leave · training or promotion will not be adversely affected	• see parental leave	• see parental leave	• **24 weeks** unpaid to be shared between parents or used by one parent, natural or adoptive taken any time within 52 weeks following the child's birth or its coming into the parent's care and custody
Alberta (*Employment Standards Code; Individual's Rights Protection Act*)	• **18 weeks** unpaid • 3 extra weeks with medical certificate • length of employment for eligibility · 12 months • seniority/benefit protection · reinstatement with seniority and benefits accrued up to leave · no discrimination in any condition of employment · if operations suspended during leave, employee must be reinstated on resumption of operations	• **8 weeks** unpaid for adoption of child under 3 years of age	• no provision	• no provision
British Columbia (*Employment Standards and Regulation*)	• **18 weeks** unpaid • 6 extra weeks of post-natal care with medical certificate • length of employment for eligibility · none • seniority/benefit protection · reinstatement with seniority and benefits continued during leave · employment is considered continuous even if operations suspended during leave period, and employee must be reinstated upon resumption of operations	• see parental leave	• see parental leave	• **12 weeks** unpaid for each parent, natural or adoptive, taken within 52 weeks of birth/adoption • maternity and paternal leave must be taken consecutively • 5 extra weeks for adoption of 6-month or older child due to adverse physical, psychological, or emotional condition of child • combined leave cannot exceed 32 weeks
Manitoba (*Employment Standards Act*)	• **17 weeks** unpaid • extension equal to the period between the estimated and actual date of birth • length of employment for eligibility · 12 months • seniority/benefit protection · reinstatement with seniority and benefits accrued up to leave	• see parental leave	• see parental leave	• **17 continuous weeks** unpaid for each parent, natural or adoptive, commencing within 52 weeks of birth/adoption or the date on which the child comes into actual care and custody of the employee • maternity and parental leave must be taken consecutively unless otherwise agreed upon

LEAVE FOR BIRTH OR ADOPTION OF A CHILD[1,2,3]				
Jurisdiction (Legislation)	Maternity	Adoption	Paternity	Parental
New Brunswick (*Employment Standards Act*)	• **17 weeks** unpaid • length of employment for eligibility · none • seniority/benefit protection · reinstated with seniority continued during leave and benefits accrued up to leave	• see parental leave	• see parental leave	• **12 consecutive weeks** unpaid child care leave shared between parents, or used by one parent, natural or adoptive, taken within 52 weeks of child's birth/adoption/arrival in home • maternity and parental leave must be taken consecutively unless employer agrees otherwise • **5 extra weeks** due to illness of a child (adopted or natural) who is at least 6 months old on arrival in home.
Newfoundland (*Labour Standards Act*)	• **17 weeks** unpaid • minimum 6 extra weeks post-natal if employee is not entitled to parental leave • length of employment for eligibility · 20 weeks • seniority/benefit protection · reinstatement with seniority and benefits accrued up to leave	• **17 weeks** unpaid for each parent on custody of child	• see parental leave	• **12 weeks** unpaid for each parent, natural or adoptive • maternity and parental leave must be taken consecutively unless child has not yet arrived in home • leave must commence within 35 weeks of birth/adoption/custody of child
Nova Scotia (*Labour Standards Code and Regulations*)	• **17 weeks** unpaid • length of employment for eligibility · 12 months • seniority/benefit protection · reinstatement with seniority and benefits accrued up to leave · employee has option at his/her cost of maintaining participation in any benefit or pension plan	• see parental leave	• see parental leave	• **17 weeks** unpaid for each parent, natural or adoptive, taken within 52 weeks of child's birth/adoption/arrival in home • maternity and parental leave must be taken consecutively • leave can be interrupted once where child is hospitalized for a period likely to exceed 1 week
Ontario (*Employment Standards Act*)	• **17 weeks** unpaid • **6 weeks** of recuperative leave available after a stillbirth or miscarriage • length of employment for eligibility · **13 weeks** • seniority/benefits protection · reinstated to same job with seniority and most benefits continued during leave · if operations suspended during leave, employee will be reinstated with seniority upon resumption of operations	• see parental leave	• see parental leave	• **18 weeks** unpaid for each parent, natural or adoptive, commencing within 35 weeks of birth/adoption/arrival of child into home • maternity and parental leave must be taken consecutively unless child has not arrived in home

LEAVE FOR BIRTH OR ADOPTION OF A CHILD[1,2,3]				
Jurisdiction (Legislation)	**Maternity**	**Adoption**	**Paternity**	**Parental**
Prince Edward Island (*Employment Standards Act*)	• **17 weeks** unpaid • length of employment for eligibility · 20 weeks • seniority/benefits protection · reinstatement with seniority and benefits accrued up to leave	• see parental leave	• see parental leave	• **17 weeks** unpaid leave for each parent, natural or adoptive, commencing within 52 weeks after birth/adoption/arrival of child in home • maternity and parental leave to be taken consecutively unless otherwise agreed upon
Quebec (*An Act Respecting Labour Standards*)	• **18 weeks** unpaid • length of employment for eligibility · none • seniority/benefit protection · reinstatement with seniority and benefits continued during leave	• **2 days** paid and **3 days** unpaid birth or adoption leave • length of employment for eligibility · 60 days for 2 days paid leave	• see parental leave	• **34 weeks** unpaid for each parent of a newborn child, natural; or an adopted child under the age of 6
Saskatchewan (*Labour Standards Act*)	• **18 weeks** unpaid • 6 extra weeks with medical certificate • special provision of 14 weeks unpaid when employee does not apply for leave • length of employment for eligibility · 12 months • seniority/benefit protection · reinstatement with seniority and benefits accrued up to leave · no discrimination based on pregnancy or application for maternity benefits	• **6 weeks** unpaid for each parent starting on day child becomes available for adoption	• **6 weeks** unpaid taken in any combination during 3-month period before or 3-month period after birth	• no provision
Northwest Territories (*Labour Standards Act*)	• **17 weeks** unpaid • extension equal to the period between the estimated and actual date of birth up to a maximum of 6 weeks • length of employment for eligibility · 12 months • seniority/benefit protection · reinstatement with seniority and benefits accrued up to leave · if operations suspended during leave, employee must be reinstated upon resumption of operations	• see parental leave	• see parental leave	• **12 weeks** unpaid for each parent, natural or adoptive, taken within 52 weeks of child's birth/adoption/ arrival in home • maternity and parental leave must be taken consecutively unless otherwise agreed upon • 5-week extension if newborn, or adopted child who is 6 months or older, suffers from physical, psychological, or emotional conditions

LEAVE FOR BIRTH OR ADOPTION OF A CHILD[1,2,3]				
Jurisdiction (Legislation)	**Maternity**	**Adoption**	**Paternity**	**Parental**
Yukon (*Employment Standards Act*)	• **17 weeks** unpaid • length of employment for eligibility · 12 months • seniority/benefit protection · reinstatement with seniority and benefits accrued up to leave	• no provision	• no provision	• no provision
Other				
Quebec (*An Act Respecting Labour Standards; Occupational Health and Safety Act*)	• leave for health examination related to pregnancy, . leave without pay for medical examinations by doctor or midwife • protective reassignment for pregnant or nursing workers . reassignment to other duties if working conditions are hazardous to mother, fetus or nursing child . employee has right to cease work without loss of rights or benefits if not reassigned, conditional on approval from the Département de santé communautaire.			
Federal (*Canada Labour Code*)	• Maternity-related reassignment and leave . modification of the current job or reassignment to another position if there is a potential health risk to the mother, fetus or child . the employee has a right to leave if she is unable to work or her job cannot be modified or she cannot be reassigned . a medical certificate is required indicating the expected duration of the potential risk and the activities or conditions to avoid in order to eliminate the risk.			

NOTES:

1. Length of employment is considered "continuous with same employer" unless otherwise stated.
2. All length of employment requirements for eligibility and seniority/benefit protection are the same as those reported for maternity leave unless otherwise stated.
3. All jurisdictions provide for reinstatement of employee at not less than wage at time of leave.

LEAVE FOR FAMILY RESPONSIBILITIES			
Jurisdiction (Legislation)	Bereavement	Marriage	Family Responsibility
Federal (*Canada Labour Code*)	• **3 days** paid for death of immediate family member (includes: spouse, child, parent, sibling, mother- or father-in-law or any relative permanently living with the employee, including common-law relatives) • length of employment for eligibility · 3 months • **3 days** unpaid with less than 3 months of employment	• no provision	• no provision
New Brunswick (*Employment Standards Act*)	• **3 days** unpaid for death of spouse, child (natural or adoptive), parent or guardian • **1 day** unpaid to attend funeral of grandparent, sibling or mother- father- sister- or brother-in-law	• no provision	• no provision
Newfoundland (*Labour Standards Act*)	• **1 day** paid and **2 days** unpaid for the death of spouse, child, parent, sibling, grandparent, or mother- father- sister- brother-in-law • length of employment for eligibility · 1 month	• no provision	• no provision
Nova Scotia (*Labour Standards Act*)	• **3 days** unpaid for death of spouse, child or ward, parent, guardian, • **1 day** unpaid for death of grandparent, grandchild, sibling or mother- father- sister- brother- daughter- or son-in-law	• no provision	• no provision
Prince Edward Island (*Employment Standards Act*)	• **3 days** unpaid for death of immediate family member (includes: spouse, common-law spouse, child, parent or sibling)	• no provision	• no provision
Quebec (*An Act Respecting Labour Standards and Regulations*)	• **1 day** paid and **3 days** unpaid for death of consort, child (includes child of consort), parent, or sibling • **1 day** unpaid for death of daughter- or son-in-law, grandparent, grandchild, or consort's brother, sister, parents	• **1 day** paid for wedding of employee • **1 day** unpaid leave on wedding day of child, parent, sibling or child of consort	• **5 days** unpaid child care leave for obligations relating to the care, health or education of minor child where parents' presence is required due to circumstances beyond the parent's control

LEAVE FOR FAMILY RESPONSIBILITIES			
Jurisdiction (Legislation)	Bereavement	Marriage	Family Responsibility
Saskatchewan (*Labour Standards Act*)	• **5 days** unpaid for death of legal or common-law spouse, child, parent, sibling, or mother- or father-in-law; to be taken 1 week before or after funeral • length of employment for eligibility · 3 months	• no provision	• no provision

NOTE: The following six jurisdictions do not provide for bereavement, marriage, or family responsibility leave: Alberta, British Columbia, Manitoba, Ontario, Northwest Territories, and Yukon.